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SENSITIVE

MEMORANDUM

TO: The Commission

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SUBJECT: Request for Consideration of a Legal Question – Elizabeth Crowley for Congress (LRA 932)

I. INTRODUCTION

On May 7, 2013, the Commission received a Request for Consideration of a Legal Question ("Request") from counsel on behalf of Elizabeth Crowley for Congress (the "Committee") (C00517359), the principal campaign committee of Elizabeth Crowley.¹ Attachment.

The Request addresses a determination by the Reports Analysis Division (RAD), based on informal guidance provided by the Office of General Counsel (OGC), that the Federal Election Campaign Act and the Commission's regulations do not allow for redesignation of contributions received for the general election to a non-federal committee if the candidate does not participate in the general election. After the candidate lost the 2012 New York primary election, the Committee

¹ At least two Commissioners agreed to consider this Request pursuant to the Policy Statement Regarding a Program for Requesting Consideration of Legal Questions by the Commission, 76 Fed. Reg. 45798-45799 (Aug. 1 2011). The Committee's request was technically not timely, but nevertheless, we recommended that the Commission consider it. Although the request was postmarked within 15 business days of the determination of corrective action, the request was not received by the Commission within the 15 business days, as required pursuant to the Commission's policy. *Id.* at 45799.

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